

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

JIM HARRIS, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 1:08-CV-69 CDP
)	
STATE OF MISSOURI,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court upon its own motion. Plaintiff has neither paid the statutory filing fee nor submitted a form "Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases" along with a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the submission of his complaint. See 28 U.S.C. § 1915 (a) (1)-(2). As a result, the Court will order plaintiff to either pay the filing fee or to submit the required in forma pauperis documents no later than June 30, 2008.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall not issue process or cause process to be issued upon the complaint at this time.

IT IS FURTHER ORDERED that the Clerk shall provide plaintiff with a form "Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases."

IT IS FURTHER ORDERED that plaintiff shall, **no later than June 30, 2008**, either pay the statutory filing fee of \$350 **or** submit a completed form “Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases” along with a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the submission of the complaint on May 13, 2008.¹

IT IS FURTHER ORDERED that if plaintiff fails to either pay the filing fee or to submit a form “Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases” along with a certified copy of his inmate trust fund account statement by June 30, 2008, the Court will dismiss this action without further proceedings. See Fed. R. Civ. P. 41(b).

IT IS FURTHER ORDERED that if plaintiff files the documents necessary to proceed in forma pauperis, the Clerk shall cause this action to be resubmitted to the Court for review under 28 U.S.C. § 1915.

Dated this 2nd day of June, 2008.


UNITED STATES DISTRICT JUDGE

¹When requesting a certified copy of his inmate trust fund account statement, plaintiff is instructed to inform the Department of Corrections that the account statement must include all activity on his account during the six-month period preceding the submission of his complaint on May 13, 2008.